

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ISSAC SAARMAN,

Plaintiff,

v.

LARRY CHRISTENSEN, in personam;
THE F/V LYRA, Official Number 905075,
her engines, machinery, appurtenances and
cargo, in rem,

Defendants.

CASE NO. C17-0412-JCC

ORDER

This matter comes before the Court on Plaintiff's motion for entry of a judgment (Dkt. No. 21). Plaintiff asks the Court to enter a final judgment on its order awarding Plaintiff \$2,899.50 in expenses and attorney fees incurred in effecting service of process (Dkt. No. 19). Having thoroughly considered the motion, Defendant's opposition, and the relevant record, the Court GRANTS the motion for the reasons explained herein.

The Federal Rules of Civil Procedure authorize district courts to direct entry of final judgment where fewer than all the original claims to an action are resolved and "there is no just reason for delay." Fed. R. Civ. P. 54(b). The Court first must determine that it is dealing with a final judgment. *Curtiss-Wright Corp. v. General Elec. Co.*, 446 U.S. 1, 7 (1980) ("It must be a judgment in the sense that it is a decision upon a cognizable claim for relief, and it must be final

1 in the sense that it is an ultimate disposition of an individual claim entered in the course of a
2 multiple claims action.”). The Court must then determine if there is any just reason for delay. *Id.*

3 The Court’s order granting Plaintiff fees and expenses is a final disposition with respect
4 to Plaintiff’s expenses incurred due to Defendant’s refusal to accept service of process.

5 Furthermore, the Court sees no reason to delay the entry of a judgment on this issue. Judgment
6 here is not likely to result in piecemeal appeals or duplicative litigation. *See Id.* at 10. Defendant
7 did not timely oppose Plaintiff’s motion to recoup expenses (Dkt. No. 18). His tardy opposition
8 to entry of a judgment raises an untimely challenge to the Court’s order granting fees and
9 expenses, but does not provide any just reason for delay in entering judgment. (Dkt. No. 24.)

10 Therefore, Plaintiff’s motion for entry of a final judgment (Dkt. No. 21) is GRANTED.

11 DATED this 5th day of April 2018.

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A handwritten signature in black ink, reading "John C. Coughenour", written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE